

REMARKS

By this amendment, claims 14, 15 and 17 have been amended. Claims 14-17 are currently pending in the application, of which claims 14 and 17 are independent claims. Applicants respectfully submit that the above amendments do not add new matter to the application and are fully supported by the specification.

In view of the above Amendments and the following Remarks, Applicants respectfully request reconsideration and timely withdrawal of the pending objections and rejections for the reasons discussed below.

Rejections Under 35 U.S.C. §102

Claims 14-17 stand rejected under 35 U.S.C. §102(b) as being anticipated by U. S. Patent No. 6,038,003 issued to Kim (“Kim”). Applicants respectfully traverses this rejection for at least the following reasons.

With respect to claims 14-16, independent claim 14 recites “an align pattern formed on the gate insulating layer and located on both sides of the data line”. An example of this claimed feature is shown in Figs. 18-23 of the present application. In particular, Figs. 18 and 19 shows the align pattern 68 formed on both side of the data line 62. By forming the align pattern 68, “the coupling capacitance between the data line 62 and the pixel electrode 80 is uniform over the entire surface of the substrate 10 such that stitch defects also are not generated” (Specification, page 25, lines 17-20).

In this regard, the Examiner asserted that, in Kim, “the removed portion of the insulating layer 117 filled with leveling material 137” (Office Action, page 2) corresponds to the claimed alignment pattern. This assertion is respectfully disagreed with.

Fig. 5A to Fig. 5G of Kim shows cut views of the LCD shown in Fig. 4 cut by line III-III. Particularly, Fig. 5E shows the LCD device after patterning the gate insulating layer 117 and the semiconductor layer 133. The Examiner asserted that “the removed portion of the insulating layer 117” corresponds to the claimed align pattern.

First, as well known, during examination, the claims must be interpreted as broadly as their terms reasonably allows. This means that the words of the claim must be given their plain meaning *unless applicant has provided a clear definition in the specification* (MPEP 2111.01).

With respect to the term “align pattern”, the specification describes “Because misalignment between the data line 62 and the align pattern 68 does not occur, *the coupling capacitance between the data line 62 and the pixel electrode 80 is uniform* over the entire surface of the substrate 10 such that stitch defects also are not generated” (Specification, page 25, lines 17-20). Thus, it is clear from the specification that the align pattern is formed for achieving uniform coupling capacitance between data lines and pixel electrodes. The Examiner is respectfully requested to read page 24, line 21 to page 25, line 20 of the specification.

In this regard, “the removed portion of the insulating layer 117” of Kim is merely a removed portion by the etching process shown in Fig. 5E and has nothing to do with achieving uniform coupling capacitance between data lines and pixel electrodes. Also, Kim does not even remotely suggest that “the removed portion of the insulating layer 117” performs any kind of “align” function. This is further evidenced by the fact that the Examiner was not able to describe how “the removed portion of the insulating layer 117” functions as a align pattern.

Thus, it is submitted that “the removed portion of the insulating layer 117” of Kim does not correspond to the claimed align pattern. Since Kim fails to disclose or suggest the claimed

align pattern, it is submitted that independent claim 14 is patentable over Kim. Claims 15 and 16 that are dependent from claim 14 would be also patentable at least for the same reason.

With respect to independent claim 17, this claim also recites “an align pattern formed on the gate insulating layer and located on both sides of the data line”. As previously mentioned, Kim does not disclose or suggest this claimed feature. Thus, it is submitted that claim 17 is patentable over Kim.

Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. §102(b) rejection of claims 14-17.

Other Matters

In this response, claims 14, 15 and 17 have been amended solely for better wording and for deleting certain limitations that appear not to be patentability of the claims. These amendments are not made for the purpose of avoiding prior art or narrowing the claimed invention, and no change in claim scope is intended. Therefore Applicants do not intend to relinquish any subject matter by these amendments.


CONCLUSION

Applicants believe that a full and complete response has been made to the pending Office Action and respectfully submit that all of the stated grounds for rejection have been overcome or rendered moot. Accordingly, Applicants respectfully submit that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicants' undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,


Hae-Chan Park
Reg. No. 50,114

Date: December 14, 2004

McGuireWoods LLP
1750 Tysons Boulevard
Suite 1800
McLean, VA 22102-4215
Tel: 703-712-5365
Fax: 703-712-5280
HCP:WSC/tmk

\\COM458252.1